

COMPILED

ORDINANCES

OF THE

CITY OF OMAHA.

EMBRACING ALL THOSE OF A GENERAL NATURE IN FORCE JULY 31st, 1881; ALSO,
MANY OF A SPECIAL, LOCAL AND MORE IMPORTANT CHARACTER, INCLUDING THOSE
PASSED DURING THE MONTHS OF AUGUST, SEPTEMBER AND OCTOBER, 1881,
AFTER THE COMPILATION WAS COMPLETED; TO WHICH IS ADDED MUCH
OTHER VALUABLE MATTER—THE WHOLE BEING PREFIXED BY
THE CONSTITUTION OF THE STATE AND THE ACTS OF THE
LEGISLATURE GOVERNING CITIES OF THE FIRST-CLASS.

COMPILED AND ARRANGED UNDER THE IMMEDIATE SUPERVISION OF

CHAMPION S. CHASE.

PUBLISHED BY ORDER OF THE CITY COUNCIL.

OMAHA, NEB:
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1881.

counsel. The trial may be adjourned from time to time as the council shall deem necessary.

SEC. 3. [**Contempt by witness.**]—If any person shall refuse to attend as a witness at such trial, the council may order his arrest by the sergent-at-arms, and such person when arrested shall be punished for the contempt by fine not to exceed fifty dollars, or by imprisonment not to exceed ten days, or otherwise as the council may direct. All witnesses shall be examined under oath or affirmation.

SEC. 4. [**Conduct of trial.**]—After hearing the proof on both sides the prosecution and defense may each, in the order named, once address the council, and for such length of time as the council shall determine. All questions arising during the progress of the trial shall be determined by the president in the first instance, subject to an appeal to the council by either party. At the close of the arguments, the council, by a vote of ayes and noes, shall determine as to the truth of the charge, or charges, or any of them. If the charge or charges, or any of them are sustained, the council may take such action in declaring the removal from office of the person accused, as to them may seem proper. The mayor by and with the consent of the city council, may suspend any officer from office whenever charges have been preferred against him, and pending the trial of the same, and may fill the temporary vacancy by appointment, except in case of the trial of any member of the city council; and in case the mayor is suspended the president of the council shall act as mayor.

SEC. 5. [**Removal of employes.**]—Nothing herein contained shall be construed as interfering in any way with the right of the city council to examine into charges against any appointed officer or employe of the city, by a committee of the council, and in such manner as they may determine, but the council shall have the right so to do, and any such officer may be removed from office at any time by the mayor, by and with the consent of the city council. No elective officer shall be removed the second time for the same offense.

CHAPTER XXXI.—PEACE---DISTURBANCE OF.

SECTION 1. [**Fighting, intoxication, etc.**]---It shall be unlawful for any person to disturb the good order and peace of the city of Omaha by making any loud or unusual noise; or by fighting or threatening to fight, by tumultuous threatenings, or offensive carriage, or by being intoxicated on the streets, or in any public place in said city, or in any private place without the consent of the owner, or by using any obscene or profane language in the streets or other public places to the annoyance of citizens.

SEC. 2. [**Indecent acts.**]---It shall be unlawful for any person or persons to indulge in any indecent or disorderly conduct, or any lewd or lascivious behavior in the streets or other public places in the city of Omaha, or to commit any indecent, immodest or filthy act within the limits of said city in the presence of any person, or in such a situation that persons passing might ordinarily see the same.

SEC. 3. [**Indecent dress.**]---It shall be unlawful for any person to appear in any public place in said city in a state of nudity, or in a dress not belonging to his or her sex, or in an indecent or lewd dress.

SEC. 4. [**Indecent pictures, books or plays.**]---It shall be unlaw-

ful for any person to exhibit, sell, or offer for sale, or to dispose of in any manner any indecent or lewd book, picture or other thing, or to exhibit any indecent, immoral, or lewd play or other representation within said city, and any person who shall violate any of the provisions of this section or of the preceding sections of this chapter, or who shall in any manner other than is herein specified, willfully or maliciously disturb the public peace of said city, shall, on conviction thereof, be fined in any sum not exceeding fifty dollars.

SEC. 5. [**Fire-arms and fire-works.**]---If any person shall unnecessarily discharge any fire-arms, or shoot off any fire-crackers, or other fire-works, or shall light or throw any fire-ball or crackers, in said city, without permission of the mayor, such person so doing, shall, on conviction thereof, be fined in any sum not exceeding twenty dollars. The city council may by resolution suspend the operation of the above provision of this section, on the Fourth of July or any other day of public rejoicing.

SEC. 6. [**Concealed weapons.**]--If any person shall carry any concealed weapon or weapons, or have concealed on or about his or her person any revolver, pistol, slungshot, bowie knife, or other deadly weapon or instrument, such person shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not exceeding twenty dollars. The foregoing provisions shall not apply to officers whose duties require that they should carry arms, nor to well known and worthy citizens, or persons of good repute, who may carry arms for their own protection in going to or from their place or places of business, if such business be lawful.

SEC. 7. [**Disorderly houses.**]—Any person or association of persons who shall permit in his, her, or their house, out-house, yard, or other premises under his, her, or their control, any gambling with cards, dice, or other implements or devices used in gambling, or who shall permit any loud or unusual noises therein, or shall suffer or permit any person or persons to fight or threaten to fight in such premises, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not to exceed twenty dollars.

SEC. 8. [**Gaming.**]—Any person or persons who shall keep a house for the purpose of gambling therein, or who shall suffer or permit other persons to come there, or to frequent and come together there for the purpose of gaming, and every person who in any public place shall play for money or other valuable thing at cards, dice, or in any other manner, or shall bet at faro, keno, or any other game, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not exceeding twenty dollars.

SEC. 9. [**Vagrants and swindlers.**]—Any and all persons who shall loiter about the city for the space of ten days without having some known legal occupation or means of support, and all suspicious persons who can give no reasonable account of themselves, which said classes of persons are usually termed vagrants, and all watch stuffers, ball game players, and all other persons who shall practice the game known as three-card monte or any game trick or device with intent to swindle may be arrested with or without warrant, by the marshal or any policeman of the city, and upon conviction of any act herein set forth, shall be deemed guilty of a misdemeanor, and shall be fined in the sum of twenty dollars and be imprisoned for a term of thirty days. [As amended May 13, 1873.]

SEC. 10. [**Additional penalty.**]—In addition to the penalty hereinbefore affixed to any offense mentioned in the first eight sections of this